

1 State of Arkansas
2 84th General Assembly
3 Second Extraordinary Session, 2003
4

Call Item 4

A Bill

HOUSE BILL 1111

5 By: Representatives Dickinson, Bennett, Berry, Bolin, P. Bookout, Chesterfield, Cowling, Dees, D.
6 Evans, L. Evans, Fite, Green, Hardwick, Jacobs, C. Johnson, J. Johnson, Mack, Mathis, Moore, Penix,
7 Scroggin, Seawel, Thyer, Weaver, White, Wood
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For An Act To Be Entitled

11 THE CONTINUING ADEQUACY EVALUATION ACT OF 2004.
12

Subtitle

14 THE CONTINUING ADEQUACY EVALUATION ACT
15 OF 2004.
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17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code Title 10, Chapter 3, is amended to add an
21 additional subchapter to read as follows:

22 10-3-2101. Purpose and findings.

23 (a) The General Assembly recognizes that it is the state's
24 responsibility to:

25 (1) Develop what constitutes an adequate education in Arkansas
26 pursuant to the mandate of the Arkansas Supreme Court and to conduct an
27 adequacy study, which has been completed; and

28 (2) Know how state revenues are being spent and whether true
29 equality in educational opportunity is being achieved.

30 (b) The General Assembly also recognizes no one (1) study can fully
31 define what is an adequate, efficient, and equitable education.

32 (c) The General Assembly further recognizes that, while the adequacy
33 study performed in 2003 is an integral component towards satisfying the
34 requirements imposed by the Arkansas Supreme Court, the General Assembly has
35 a continuing duty to assess what comprises an adequate education in Arkansas.

36 (d) Therefore, because the state has an absolute duty to provide the



1 school children of Arkansas with an adequate education, the General Assembly
 2 finds that ensuring that an adequate and equitable system of public education
 3 is available in the state shall be the ongoing priority for the state.

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 5 10-3-2002. Duties.

6 (a) During each interim, the House Interim Committee on Education and
 7 the Senate Interim Committee on Education shall meet, separately or jointly,
 8 as needed, to:

9 (1) Assess, evaluate, and monitor the entire spectrum of public
 10 education across the state to determine whether equal educational opportunity
 11 for an adequate education is being substantially afforded to Arkansas' school
 12 children and recommend any necessary changes;

13 (2) Review and continue to evaluate what constitutes an adequate
 14 education in Arkansas and recommend any necessary changes;

15 (3) Review and continue to evaluate the state's method of
 16 providing equality of educational opportunity and recommend any necessary
 17 changes;

18 (4) To evaluate the effectiveness of any program implemented by
 19 a school, a school district, an education service cooperative, the Department
 20 of Education, or the State Board of Education and recommend necessary
 21 changes;

22 (5) Review the average teacher salary in the state in comparison
 23 to average teacher salaries in surrounding states and member states of the
 24 Southern Regional Education Board and make recommendations for any necessary
 25 changes to Arkansas teacher salaries established by law;

26 (6) Review and continue to evaluate the costs of an adequate
 27 education for all students in Arkansas, taking into account cost of living
 28 variances, diseconomies of scale, transportation variability, demographics,
 29 school districts with a disproportionate number of students who are
 30 economically disadvantaged or have educational disabilities, and other
 31 factors as deemed relevant, and recommend any necessary changes;

32 (7) Review and continue to evaluate the amount of per student
 33 expenditure necessary to provide an equal educational opportunity and the
 34 amount of state funds to be provided to school districts, based upon the cost
 35 of an adequate education and monitor the expenditures and distribution of
 36 state funds and recommend any necessary changes;

1 (8) Review and monitor the amount of funding provided by the
2 state for an education system based on need and the amount necessary to
3 provide an adequate educational system and not on the amount of funding
4 available, and make recommendations for funding for each biennium.

5 (b) As a guidepost in conducting deliberations and reviews, the
6 committees shall use the opinion of the Arkansas Supreme Court in the matter
7 of Lake View School District No. 25 of Phillips County, Arkansas, et al., vs.
8 Governor Mike Huckabee, et al. issued on November 21, 2002, and other legal
9 precedent.

10 (c) The Department of Education, the Department of Workforce
11 Education, and the Department of Higher Education shall provide the
12 committees with assistance and information as requested by the committees.

13 (d) The Attorney General is requested to provide assistance to the
14 committees as needed.

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16 10-3-2003. Investigations.

17 (a) The House Interim Committee on Education and the Senate Interim
18 Committee on Education shall have authority to conduct investigations
19 pertaining to the effectiveness of any and all education programs of any
20 school, school district, education service cooperative, educational
21 institution, the Department of Education, or its successors, the State Board
22 of Education or any department under the state board's authority.

23 (b)(1) In connection with any investigation, the committees shall have
24 the right and the power to subpoena witnesses and to issue subpoena duces
25 tecum, pursuant to § 10-3-208.

26 (2) The chairs and the cochairs of each committee are authorized
27 to administer oaths.

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29 10-3-2004. Report.

30 (a) The House Interim Committee on Education and Senate Interim
31 Committee on Education shall file, separately or jointly, or both, reports of
32 their findings and recommendations with the President Pro Tempore of the
33 Senate and the Speaker of the House of Representatives no later than
34 September 1 of each year prior to the convening of a regular session.

35 (b) The report shall include for each recommendation, proposed
36 implementation schedules with timelines, specific steps, agencies and persons

1 responsible, resources needed, and drafts of bills proposing all necessary
2 and recommended legislative changes.

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